

UNITED STATES DISTRICT COURT

for the
Southern District of Ohio

In the Matter of the Search of

(Briefly describe the property to be searched
or identify the person by name and address)

Case No. 2:22-mj-318

U.S. Postal Service Priority Mail parcel bearing label no.
9505511167982126878184 addressed to Donte Smith,
733 Rosswell Ave. Apt. A, Steubenville, OH 43952

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

U.S. Postal Service Priority Mail parcel bearing label no. 9505511167982126878184 addressed to Donte Smith, 733 Rosswell Ave. Apt. A, Steubenville, OH 43952

located in the Southern District of Ohio, there is now concealed (identify the person or describe the property to be seized):

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

evidence of a crime;
 contraband, fruits of crime, or other items illegally possessed;
 property designed for use, intended for use, or used in committing a crime;
 a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section
Title 21 USC 841(a)(1)

Offense Description
Possession with intent to distribute
a controlled substance

Title 21 USC 843(b)

Prohibited use of a communication center (U.S. Mail)

The application is based on these facts:

As set forth in the attached Affidavit of Postal Inspector BRYON GREEN

Continued on the attached sheet.

Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.


Applicant's signature

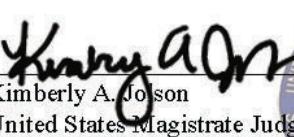
BRYON GREEN, U.S. Postal Inspector

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
(specify reliable electronic means).

Date: May 9, 2022

City and state: Columbus, Ohio


Kimberly A. Johnson
United States Magistrate Judge



IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN THE MATTER OF THE SEARCH OF:

U.S. Postal Service Priority Mail parcel bearing label no. 9505511167982126878184 addressed to Donte Smith, 733 Rossell Ave. Apt. A, Steubenville, OH 43952 return address Jerry Green, 13034 S. Hombre, Bleu Island, IL 60406

Case No. 2:22-mj-318

MAGISTRATE JUDGE
KIMBERY A. JOLSON

Affidavit in Support of Application for Search Warrant

I, BRYON GREEN, DO HEREBY DEPOSE AND SAY:

1. I am a United States Postal Inspector and have been so employed since October 2006, presently assigned at Cleveland, Ohio to investigate Prohibited Mailing offenses. I have received training in the detection and investigation of prohibited mailing offenses. I have worked U.S. Postal Service related investigations for approximately 15 years, during which time I have been the case agent for investigations leading to prosecution in U. S. District Court, as well as state courts.
2. I know from my training and experience, and the training and experience of other Postal Inspectors, I am aware the U.S. Mail is often used by drug traffickers to transport controlled substances as well as U.S. currency derived from their illicit activities, either as proceeds and/or payment. I know from my training and experience the Priority Mail system is commonly used to transport controlled substances and associated currency because Priority Mail provides traceability, reliability, and timely delivery. The guaranteed delivery timeframe of Priority Mail places time pressures on law enforcement agents to identify, search, and deliver these drug parcels in a timely manner.
3. As a result of past investigations and prosecutions, the Postal Inspection Service has determined that a number of indicators can be used to identify packages containing contraband that have been entered into the Priority Mail network. Inspectors routinely review shipment documents and Priority Mail packages originating from or destined to drug source areas, to identify instances where there is a possibility of drug trafficking.
4. On May 9, 2022, your Affiant identified in Postal Service databases U.S. Postal Service Priority Mail parcel bearing label no. 9505511167982126878184 addressed to Donte Smith, 733 Rossell Ave. Apt. A, Steubenville, OH 43952 return address Jerry Green, 13034 S. Hombre, Bleu Island, IL 60406, which was believed to contain narcotics, in violation of Title 21, United States Code, Sections 841(a)(1) (distribution and possession with intent to distribute a controlled substance) and 843(b) (illegal use of mail in furtherance of narcotics trafficking). Your Affiant identified this as a suspected drug parcel based on several characteristics, including but not limited to type of mail, origin, destination, label, postage, and size.

5. The subject parcel is further described as a white, U.S. Postal Service Priority Mail flat rate box, weighing approximately 1 pound 9.5 ounces, and bearing \$10.70 in U.S. Postage. The subject parcel was mailed on May 6, 2022, from the Matteson, IL Post Office, 60443.
6. Your affiant ran the recipient addresses in CLEAR, an electronic database that has proven reliable in previous investigations in determining the legitimacy of name, address, and phone number information and was unable to associate Donte Smith at 733 Roswell Ave. Apt. A, Steubenville, OH 43952 or Jerry Green at 13034 S. Hombre, Bleu Island, IL 60406 in Clear.
7. Your affiant knows that in the past, drug traffickers have used legitimate addresses belonging to others for the sender/return address and/or not listing a recipient name in an attempt to legitimize and distance themselves from the shipment in the event that the parcel is seized by law enforcement officers.
8. Your Affiant knows from training and experience that individuals who regularly handle controlled substances often leave the scent of controlled substances, for which narcotic-sniffing canines are trained to indicate alert, on the box, contents of the box, and/or other packaging material they handle.
9. On May 9, 2022, the subject parcel was subjected to "Puma", a narcotic detection canine handled by Sgt. R. Cook of the Steubenville, Ohio Police Department, at the Jefferson County Drug Task Force Office in Steubenville, Ohio. The subject parcel was placed in a lineup of empty boxes. Puma gave a positive alert on the subject parcel. According to Sgt. Cook, this positive alert meant Puma detected the odor of an illegal drug emanating from the parcel.
10. Sgt. Cook has been State Certified as a Narcotics Canine handler since November 2014 and a Police K9 evaluator since October 2018. Sgt. Cook and narcotics canine Puma have worked together since April 15, 2021. Sgt. Cook and canine Puma were both certified on April 15, 2022 by the Ohio Peace Officers Training Academy (OPOTA). Sgt. Cook and canine Puma have both completed 160 hours of a state-certified training program at Tri State Canine Services in Warren, Ohio. During this time, Puma was trained and certified to alert to the presence of the odors from marijuana, cocaine, heroin, MDEA (methylenedioxymethamphetamine), methamphetamine ("crystal meth"), and/or their derivatives. Sgt. Cook has been trained how to handle a detector K-9 and read his alerts. According to Sgt. Cook, Puma is a reliable K-9 assist unit.
11. Your Affiant knows based on his training and experience that individuals who regularly handle controlled substances often leave the scent of controlled substances, which narcotic canines are trained to indicate alert, on the box, contents of the box, and/or other packaging material they handle.

12. Based on the information contained herein, your affiant maintains there is probable cause to believe that the U.S. Postal Service Priority Mail parcel bearing label no. 9505511167982126878184 addressed to Donte Smith, 733 Roswell Ave. Apt. A, Steubenville, OH 43952 return address Jerry Green, 13034 S. Hombre, Bleu Island, IL 60406 contains controlled substances, and/or contraband, in violation of Title 21, United States Code, Sections 841(a)(1) and 843(b).



Bryon Green
United States Postal Inspector

On May 9, 2022 this affidavit was sworn to by the affiant, who did no more than attest to its contents pursuant to Crim. R. 4.1 (b)(2)(A), by telephone after a document was transmitted by email, per Crim R. 4.1.



Kimberly A. Jolson
United States Magistrate Judge



UNITED STATES DISTRICT COURT
 for the
 Southern District of Ohio

In the Matter of the Search of

U.S. Postal Service Priority Mail parcel bearing label no.
 9505511167982126878184 addressed to Donte Smith, 733
 Roswell Ave. Apt. A, Steubenville, OH 43952

)

)

)

)

)

)

)

)

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the Southern District of Ohio, Eastern Division (*identify the person or describe the property to be searched and give its location*):

U.S. Postal Service Priority Mail parcel bearing label no. 9505511167982126878184 addressed to Donte Smith, 733 Roswell Ave. Apt. A, Steubenville, OH 43952

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal (*identify the person or describe the property to be seized*):

A quantity of a controlled substance and/or proceeds which are evidence thereof, and/or contraband, in violation of Title 21, United States Code, Section 841(a)(1) and 843(b)

YOU ARE COMMANDED to execute this warrant on or before May 23, 2022 (*not to exceed 14 days*)
 in the daytime 6:00 a.m. to 10:00 p.m. at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to SD OF OHIO CLERK OF COURTS
 (*United States Magistrate Judge*)

Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (*check the appropriate box*)

for _____ days (*not to exceed 30*) until, the facts justifying, the later specific date of _____.

Date and time issued: May 9, 2022 2:47 PM

City and state: Columbus, Ohio

Kimberly A. Jolson
 Kimberly A. Jolson
 United States Magistrate Judge


Return

Case No.:	Date and time warrant executed:	Copy of warrant and inventory left with:
-----------	---------------------------------	--

Inventory made in the presence of :

Inventory of the property taken and name of any person(s) seized:

Certification

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date: _____

Executing officer's signature

Printed name and title